

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ISRAEL BERNAL,

Plaintiff,

v.

Case No. 05-CV-1327

AMERICAN MONEY CENTERS, INC.

Defendant.

ORDER

On February 12, 2008, the court granted preliminary approval to the parties' settlement agreement and ordered the plaintiff to mail notice of the settlement to members of the settlement class within 30 days. On March 7, 2008, the plaintiff filed an expedited motion to compel the defendant to provide to class counsel a copy of the list of class members in an electronic, editable format. The plaintiff states that the defendant provided him with a 102-page list of the class members in paper format. The plaintiffs seek an editable, electronic copy of the list, so that he can "mail merge" the class members names and addresses.

In response, the defendant states that an editable, electronic copy of the list does not exist, and that it cannot create an electronic class member list because it is out of business. (Malloy Decl. ¶ 2.) As such, the plaintiff's motion to compel must be denied as moot.

The plaintiff also requests an extension of time so that he can have the list re-typed into a usable electronic format. He states that it will not be possible for class counsel to mail class notices by March 13, 2008, and that an extension will also be

required for the fairness hearing, currently set for June 5, 2008. The defendant does not oppose the extension of time.

Given that the 102-page list of class members must be re-typed, the court will grant the plaintiff an extension of time to mail the notice of settlement to the class members, and adjust the date of the fairness hearing as well. The plaintiff, or his designated claim administrator, shall send on or before April 11, 2008, notice of the proposed settlement and the final approval hearing to the settlement class by mailing the class notice to members of the settlement class by U.S. mail, first-class, with address correction requested, in accordance with the terms of the settlement agreement. The fairness hearing will be held on Wednesday, July 2, 2008, at 9:30 a.m. before the Honorable J.P. Stadtmueller in the United States Courthouse, 517 East Wisconsin Avenue, Room 425, Milwaukee, Wisconsin 53202.

Accordingly,

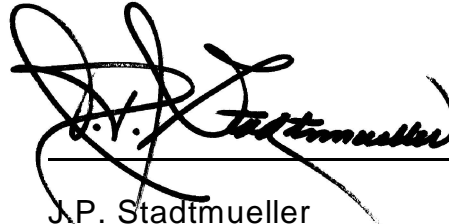
IT IS ORDERED that the plaintiff's motion to compel (Docket # 76) be and the same is hereby **DENIED** as moot;

IT IS FURTHER ORDERED that the plaintiff's motion for an extension of time (Docket # 76) be and the same is hereby **GRANTED**. The plaintiff, or his designated claim administrator, shall send on or before **April 11, 2008**, notice of the proposed settlement and the final approval hearing to the settlement class by mailing the class notice to members of the settlement class by U.S. mail, first-class, with address correction requested, in accordance with the terms of the settlement agreement. The fairness hearing will be held on Wednesday, **July 2, 2008, at 9:30 a.m.** before

the Honorable J.P. Stadtmueller in the United States Courthouse, 517 East Wisconsin Avenue, Room 425, Milwaukee, Wisconsin 53202.

Dated at Milwaukee, Wisconsin, this 17th day of March, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

J.P. Stadtmueller
U.S. District Judge